

The Tree Commission met in regular session on Monday, July 17, 2000 at 7:30 p.m. in the lower level meeting room, 25 West Market Street, Leesburg, Virginia. Members present were: Mr. John Groothuis, Ms. Anne Wall, Mr. Jim Hicks, Ms. Kathleen Pritchard and Mr. R. Max Peterson. Staff was represented by Mr. Jay S. Banks and Susan DeJong. Mr. William H. Donnelly, the Town Attorney, was there as a guest speaker and Mr. John Chamblis from the Leesburg Today Newspaper.

MINUTES

The Minutes of the June 19th meeting were approved as written.

OLD BUSINESS

Mr. Banks read to the Commissioners what would be presented to Mr. Dana Malone in recognition of his years of Service with the Virginia Department of Forestry. The presentation will be made on July 25th, 2000 at the Town Council Meeting.

Mr. Banks stated that he is still working to obtain the V.D.O.T. permit to plant trees in the Eastern Gateway area.

The 2000 by 2000 Campaign is finished and the 2000th tree has been planted at the Public Safety Center.

Ms. Wall asked Mr. Banks to make sure that this tree gets an water bag.

Mr. Hicks drafted a letter to the Town Manager about finding a place for a small tree arboretum here in Town and handed out copies to the Commissioners to review.

Ms. Pritchard stated she had talked with Mayor Webb recently and Ms. Webb stated that it would be in the Tree Commissions best interest to forward copies of any memos to the Mayor's office so that the Town Council will be sure to hear about it.

The Tree Commissioners agreed, and decided to address the arboretum memo to the Mayor and Council with a copy to the Town Manager.

NEW BUSINESS

Mr. Banks then introduced the Mr. Donnelly, the Town Attorney, to speak with the Tree Commission.

Mr. Donnelly addressed the first issue the Tree Commission was concerned with, that being maintenance of required landscaping. Mr. Donnelly said that he believes that the Town has the authority under the current Zoning Ordinance to take an enforcement action against the owners of property where the required landscaping is not being properly maintained. There are a number of ways for the Zoning Ordinance to be enforced:

- The Zoning Administrator will inspect the property, issue a notice of violation to the owner/developer, give them a reasonable amount of time

to correct the situation and if they don't comply there are a number of avenues open to the Zoning Administrator.

However the problems that could result from this type of action are:

1. Budgetary
2. Limited resources that the Zoning Administrator has.

The next issue Mr. Donnelly addressed was bonding for landscaping. Under the existing Ordinance the only Zoning District that requires bonding by the developer is in one of the Planned Development Districts. However, when the new Zoning Ordinance has been adopted the plan is for landscape bonding to be required in all Zoning Districts.

Mr. Donnelly went on to state that in the State of Virginia (which is under Dillon's Rule) this bonding requirement might be difficult to enforce.

Mr. Groothuis then asked the Commissioners for their thoughts about combining the Tree Commission and the Environmental Advisory Commission.

Ms. Pritchard has spoken with Mayor Webb and the Mayor suggested that the Tree Commission draft a memo to the Mayor and the Town Council stating why the Tree Commission should remain separate from the Environmental Advisory Commission.

Mr. Peterson asked who was behind the idea to combine the two Commissions.

Mr. Groothuis said that it was hard to pinpoint a location.

Mr. Hicks asked if anyone knew of any project that the two Commissions are working on simultaneously.

Ms. Wall asked if it would be appropriate for a memo to come from Mr. Groothuis to the Mayor and Town Council stating that as Chairman of the Tree Commission, presented with the minutes of the Joint Meeting of the Tree Commissions and the meeting of the Tree Commission of July 17th, 2000, that the joining of the EAC and Tree Commission would not be in the best interest for the Town of Leesburg.

Mr. Peterson said that he failed to see where combining the two Commissions would be advantageous to either Commission because they have very distinct responsibilities.

COMMISSIONER COMMENTS

Ms. Pritchard asked if Mr. Peterson was able to draft a memo about extra staffing for Mr. Banks.

Mr. Peterson answered that he had not.

Ms. Pritchard then mentioned that the Mayor asked that the Tree Commission draft a memo about the centralization of tree maintenance and send it to the Mayor and the Town Council.

Mr. Peterson mentioned that the Conservation and Reinvestment Act is moving through Congress.

Mr. Hicks stated that he will be going to the EAC meeting on Wednesday.

Ms. Wall asked that Mr. Hicks let the EAC Commissioners know that the Tree Commission plans to draft a memo to the Mayor and Town Council about not joining the two Commissions.

Mr. Groothuis' comment was that if the Commissioners present have not R.S.V.P.'d about the upcoming retreat that they do so in the near future.

Mr. Banks stated that that a memo has gone out from the budget officer to all the Town of Leesburg's landscape maintenance departments asking what percentage of their time, manpower and money is spent on caring for landscaping in the Town.

Mr. Banks also said that he has received a document entitled "Storms Over the Urban Forest," Book II. This second edition was done by the U.S. Forest Service for the Northeast Region. It has excellent references and it maps out the procedures to deal with natural disasters and trees in the Community.

There being no further business the Tree Commission adjourned at 8:40 p.m.

Jay S. Banks, Town Arborist

Susan DeJong, Recording Secretary

